

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 07, 2016

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman VanOrden, Representatives Shepherd, Wills, Boyle, Clow, Gestrin, Harris, Mendive, McDonald, Dixon, Kerby, Pence, Kloc, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Karen Echeverria, Idaho School Boards Association; Harold Ott, Idaho Rural School Administrators; Phil Homer, Helen Price, Rob Winslow, Idaho Association of School Administrators; Blake Youde, State Board of Education; Jeff Church, State Department of Education; Jonathan Parker, Holland and Hart; Marilyn Whitney, Governor's Office; Robin Nettinga, Idaho Education Association

**Chairman DeMordaunt** called the meeting to order at 9:02 a.m.

**RS 24645:** **Rep. Wills** made a motion to **HOLD RS 24645** for time certain, Wednesday, March 9, 2016. **Motion carried by voice vote.**

**S 1257:** **Senator Brackett** spoke to **S 1257**. He said the purpose of **S 1257** is to require write-in candidates in school board trustee elections to submit five qualified elector signatures from within the trustee zone. The requirement of write-in candidates to submit qualified elector signatures of support creates consistency, and shows the write-in candidate has support from within the trustee zone. Sen. Brackett said the legislation is supported by the Idaho School Board Association. Sen. Brackett requested the committee consider sending **S 1257** to General Orders with an amendment to delete a section referencing a paper nominating petition, as provided in § 34-1404, Idaho Code. He explained the Senate was concerned that requiring the five signatures be submitted on a "paper nominating petition" may create a different standard. Therefore, an amendment to strike line 15, with that reference, is suggested.

In response to questions from the committee, **Sen. Brackett** said situations where it was questionable if the write-ins had enough support prompted the bill.

**MOTION:** **Rep. Kerby** made a motion to send **S 1257** to **General Orders** with a committee recommended amendment.

**Karen Echeverria**, Idaho School Boards Association, spoke in support of **S 1257**. She said the bill was the result of a resolution passed at an Idaho School Board Association Convention. The requirement is unique to trustees, and they are required to collect five signatures, to show they have enough support to run. In response to questions from the committee, Ms. Echeverria said a form already exists, and a section for signatures will need to be added to the current form.

**VOTE ON MOTION:** **Motion carried by voice vote.** **Rep. Kerby** will sponsor the bill on the floor.

**S 1336:** **Senator Patrick** spoke to **S 1336**. He said the bill is a minor change to help students who are on Individualized Education Plans with the civics requirement for graduation.

**MOTION:** **Rep. Clow** made a motion to send **S 1336** to the floor with a **DO PASS** recomendaton.

**Jonathan Parker**, Holland and Hart, spoke in support of **S 1336**. He represents a civics professional institute.

**VOTE ON MOTION:**

**Motion carried by voice vote. Rep. Clow** will sponsor the bill on the floor.

**S 1320:**

**Blake Youde**, Office of the State Board of Education, spoke to **S 1320**, which amends existing law to require community colleges to follow the same requirements as school districts when acquiring and disposing of real property. For example, school districts are required to have a property appraisal conducted of the property one year prior to any purchase, and the same requirement would apply to community colleges. **S 1320** amends § 32-2107, Idaho Code, to provide correct terminology, make technical corrections, and clarify certain powers of the board of trustees of each community college district, and amends § 33-2211, Idaho Code, to provide code references. Mr. Youde said the bill requires community college boards of trustees to follow the same procedures for acquiring and disposing of buildings as public school board of trustees. Additional amendments add the reference to §33-601, Idaho Code, to Eastern Idaho Technical College's provisions regarding real property.

**MOTION:**

**Rep. McDonald** made a motion to send **S 1320** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. McDonald** will sponsor the bill on the floor.

**S 1280aa:**

**Blake Youde**, Office of the State Board of Education, spoke to **S 1280aa**. The bill clarifies and simplifies the residency requirements for tuition at post-secondary educational institutions. The requirements may also be used to establish residency for specialist graduate programs.

**MOTION:**

**Rep. Kloc** made a motion to send **S 1280aa** to the floor with a **DO PASS** recommendation.

In response to questions from the committee, **Mr. Youde** said anyone who has lived in Idaho for at least twelve months qualifies for resident tuition, even residents who did not graduate from an accredited Idaho high school. He said he had not spoken with the senators who voted against the bill, so he did not know why they voted against it. Idaho high school graduates would have a six-year window to return to post-secondary education in Idaho, said Mr. Youde, after leaving the state. Currently, said Mr. Youde, the residency determination is based only on the years and months one has lived in Idaho prior to applying to post-secondary institutions of education. The reason for the bill, he added, is to streamline the process of applying for residency status, and to encourage Idaho graduates to return to Idaho for their post-secondary education. The Senate amendment to the bill is on page 4, line 11. The amendment clarifies the non-resident status of foreign students and students who are not legal United States citizens. It is estimated there would be no fiscal impact from the bill, said Mr. Youde. The potential negative fiscal impact from granting residency status to students who did not previously qualify would be neutralized by an increase of students who might not have attended post-secondary institutions, because they did not qualify for resident tuition, or because of the overly complicated current state residency requirements. Increasing enrollment, said Mr. Youde, will create more tuition and fee revenue, and reduce the state's portion.

**Tracy Bent**, Office of the State Board of Education, spoke to **S 1280aa**. She said the Board identified current statute as a barrier to college admissions two years ago.

In response to questions from the committee, **Ms. Bent** said the state has already invested resources into its high school graduates, and current law is a barrier to those students returning to post-secondary education in Idaho, after being gone for some time. Also, said Ms. Bent, the institutions of higher education indicated they were spending large amounts of time and resources to determine students' residency status, and this bill streamlines the process. Statute already prohibits illegal immigrants from receiving post-secondary benefits, said Ms. Bent. Currently, if a student is a dependent, and that student's parents are Idaho residents, then the student already qualifies for resident status, said Ms. Bent. If that student leaves Idaho, returns as a non-dependent, and is here for twelve months or more, the student also qualifies for resident tuition. Because the state does not track students who are home schooled, she added, there is no way to know if people moving to Idaho were home schooled in Idaho or elsewhere.

**VOTE ON  
MOTION:**

**Motion carried by voice vote. Rep. Kloc** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 9:41 a.m.

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Representative DeMordaunt  
Chair

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Jenifer Cavaness-Williams  
Secretary